

REMARKS

In the Office Action, claims 31-51 were rejected under §103(a) as being unpatentable over the EZ Pay system in view of U.S. Patent No. 5,056,141 to Dyke and further in view of U.S. Patent No. 5,995,630 to Borza. A request for continued prosecution and a petition for a one-month extension of time are filed herewith.

In the above amendments, claims 31-51 have been cancelled and new claims 52-73 have been added. In view of above amendments and the following remarks, reconsideration of the application is respectfully requested.

New independent claim is directed to a casino gambling system that includes, among other recitations, a cashier computer having a controller that is programmed as follows:

said cashier controller being programmed to cause a **first prompt to a person** to be generated to cause the person to present a unique physical characteristic of the person to said biometric input apparatus **at a first time**,

said cashier controller being programmed to store a first set of digital data derived from said biometric input apparatus in response to the person presenting **the unique physical characteristic** to said biometric input apparatus **at the first time**,

said cashier controller being programmed to cause a **second prompt to the person** to be generated to cause the person to present the **same unique physical characteristic** of the person to said biometric input apparatus **at a second time**,

said cashier controller being programmed to store a second set of digital data derived from said biometric input apparatus in response to the person presenting **the same unique physical characteristic** to said biometric input apparatus **at the second time**,

said cashier controller being programmed to **determine whether said biometric input apparatus has made a predetermined number of scans of the same unique physical characteristic** of the person, and

said cashier controller being programmed to generate a set of composite digital data **by determining an average** of said first and second sets of digital data.

As recited in the above excerpt, the composite digital data is generated by averaging two sets of digital data each of which was generated in response to prompting the person to

present the same physical characteristic, e.g. the same fingerprint, to the biometric input device at two different times, and the controller is programmed to determine whether the biometric input apparatus has made a predetermined number of scans of the same unique physical characteristic of the person.

It is respectfully submitted that such features are neither disclosed nor suggested by the applied art. In the final Office Action, reference was made to column 13, lines 31-55 of the Borza patent. That portion of the Borza patent does not disclose or suggest the features of claim 52 noted above. In particular, there is no disclosure of prompting a person at two different times to present the same physical characteristic to a biometric access device, nor is there any disclosure or suggestion of a controller that is programmed to determine whether a biometric input apparatus has made a predetermined number of scans of the same unique physical characteristic of a person.

For at least some of the reasons noted above, it is believed that new independent claims 58, 64 and 69 are also in condition for allowance.

Conclusion

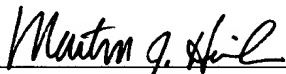
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

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By:


Martin J. Hirsch
Registration No. 32,237
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300